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9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
11 AT TACOMA

12 RAFAEL O. GODINES,

13 Plaintiff,

14 v.

15 JOHN OR JANE DOE KITSAP COUNTY
16 SHERIFF'S DEPUTIES,

17 Defendants.

CASE NO. C09-05215 BHS

ORDER TO SHOW CAUSE

18 This case has been referred to the undersigned Magistrate Judge pursuant to Title 28
19 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrate Judge's Rules MJR 1, MJR 3,
20 and MJR 4. The court has reviewed the file in this action.

21 On June 19, 2009, the attempt to serve a defendant in this action failed because the
22 plaintiff only identified the defendant as a "John or Jane Doe" (Dkt. # 7). This action was
23 commenced On April 30, 2009, when the court granted a motion to proceed *in forma pauperis*
24 (Dkt. # 1). Thus, it has now been over 120 days since the action was commenced.

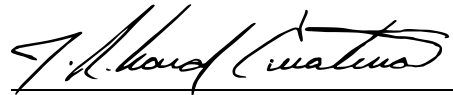
25 Fed. R. Civ. P. 4 (m) indicates that if service of a summons and complaint is not made
26 within 120 days of filing the court – on motion or on its own after notice to the plaintiff -- shall

1 dismiss the claim without prejudice unless the plaintiff can show good cause why service was
2 not made within that time. Ignorance of the rules is not good cause. Townsel v. County of
3 Contra Costa, 820 F.2d 319, 320 (9th Cir.1987). A plain reading of the rule requires that
4 Plaintiff provide the names of the defendants so service can be made.

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6 Plaintiff is ordered to SHOW CAUSE why this action should not be dismissed for failure
7 to prosecute. A response is due on or before October 2, 2009.

8 The Clerk of Court is directed to send a copy of this Order to plaintiff and note the
9 October 2, 2009, due date on the court's calendar.

10 DATED this 2nd day of September, 2009.

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14 J. Richard Creatura
15 United States Magistrate Judge
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